

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MASSACHUSETTS
(WESTERN DIVISION)**

IN RE: JACALYN S. NOSEK,
Debtor,

JACALYN S. NOSEK,
Plaintiff,

v.

AMERIQUEST MORTGAGE COMPANY,
ET AL.,
Defendants.

Chapter 13
Case No. 02-46025-JBR

Adversary Proceedings
No. 04-4517 and
No. 07-4109

**STATEMENT OF ISSUES TO BE
PRESENTED ON APPEAL BY ABLITT & CHARLTON**

Pursuant to Bankruptcy Rule 8006, Ablitt & Charlton, P.C., (“Ablitt & Charlton”) states herein the issues to be presented on appeal. Ablitt & Charlton intends to file its designation of record on appeal with the other appellants under separate cover.

1. Whether the District Court should vacate the sanctions against Ablitt & Charlton if the District Court concludes that sanctions against the client and its national counsel should be vacated.
2. Whether the Bankruptcy Court committed an error of law by sanctioning Ablitt & Charlton notwithstanding that under Bankruptcy Rule 9011 an attorney should not be sanctioned for relying upon factual information from the client and forwarding counsel.
3. Whether the Bankruptcy Court committed an error of law by sanctioning Ablitt & Charlton where the Bankruptcy Court found that sanctions against the individual attorneys were not appropriate.
4. Whether the Bankruptcy Court committed an error of law by holding Ablitt & Charlton to a standard which was not recognized at the time of the conduct at issue.

5. Whether the Bankruptcy Court committed an error of law and/or abused its discretion by imposing sanctions of \$25,000 against Ablitt & Charlton without any consideration or logic of the relationship between the amount of the sanctions and the purpose of Bankruptcy Rule 9011.

Ablitt & Charlton further incorporates by reference the statements of issues set forth by the other appealing parties.

ABLITT & CHARLTON, P.C.

By its attorneys,

/s/ Robert A. McCall

George A. Berman, BBO #040200

Robert A. McCall, BBO #552682

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Dated: June 13, 2008

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CERTIFICATE OF SERVICE

I, Robert A. McCall, certify that I caused to be served the foregoing upon the parties by
CM/ECF email and/or by mailing a copy, postage prepaid, first class on June 16, 2008 to:

Robert F. Charlton, Esquire
P.O. Box 801
Reading, MA 01867

/s/ Robert A. McCall
Robert A. McCall